THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.1664 OF 2005

Dated: 06th October, 2005.

Between

Dasari Satyasai Babu … Petitioner

And

1. Special Cadre Deputy Registrar (Dairy),
   The A.P. Dairy Development Cooperative
   Federation Ltd., Lalapet, Hyderabad-500 017,
   and others. … Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.1664 OF 2005

ORDER :

When the vacate petition filed by the third respondent has come up for consideration, with the consent of both the parties, the main writ petition itself has been heard and decided by the following order.

This writ petition is filed questioning the proceedings of the 1st respondent dated 11-1-2005 which was passed under Section 21-A (1A) of the A.P. Co-operative Societies Act 7 of 1964 (for short, 'the Act') thereby disqualifying the petitioner from being continued as President of Kolaganivaripalem Milk Producers Cooperative Society (MPCS).

Though the learned Counsel for the petitioner raised various contentions assailing the impugned order, I am not inclined to go into merits of the case since admittedly against the order impugned, an alternative remedy of Appeal is available under Section 76 of the Act before the Tribunal. Without exhausting the said efficacious alternative remedy of Appeal provided under the Statute, the petitioner cannot maintain the writ petition.

Accordingly, without expressing any opinion on merits, the Writ Petition is disposed of granting leave and liberty to the petitioner to prefer the appeal against the impugned order dated 11-1-2005 within a period of four weeks from today. If any such appeal preferred within the time specified above, the same shall be entertained and appropriate orders be passed in accordance with law, after affording due opportunity to all the parties concerned, as expeditiously as possible preferably within a period of three months thereafter. Till such time, the impugned order dated 11-1-2005 shall stand suspended. No costs.

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06th October, 2005.

Note:- CC in one week.

(B/O)

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